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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,662	12/05/2005	Hiroyuki Nakamura	281248US6PCT	7209
22850 7590 05/24/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LA BARR, EDWARD T	
			ART UNIT 2609	PAPER NUMBER
			NOTIFICATION DATE 05/24/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/559,662

Applicant(s)

NAKAMURA ET AL.

Examiner

Edward T. La Barr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/5/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/1/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement filed March 2, 2006 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

Abstract

The abstract of the disclosure is objected to because it contains phrases which can be implied. Correction is required. See MPEP § 608.01(b):

“The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, “This disclosure concerns,” “The disclosure defined by this invention,” “This disclosure describes,” etc.”

Arrangement of the Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant’s use.

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase “Not Applicable” should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.

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(2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US Pat. No. 6,421,504 B1) in view of Ikeda (U.S. PGPUB No. 2002/0105582).

Regarding Claim 1:

Saito et al. (US Pat. No. 6,421,504 B1) disclose an electronic device/apparatus comprising:

a device main body (see e.g. Fig 1 No. 10) that is capable of moving in accordance with an operation (see e.g. col. 6 lines 13-15 "A taking lens ... for guiding the optical image ... is provided in the center of the front of the hybrid camera..."; and col. 9 lines 54-55 "A lens barrel driving part ... sticks a lens barrel to a shooting position");

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an information retention section capable of retaining setup information that is to be reflected in a motion of the electronic device main body (see e.g. col. 12 lines 37-40

“E_DSCAVw is a fixed number within the range between 18 and 30, and E_DSCAVt is a value that varies within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is stored in the EEPROM 178”; and Fig. 9 No. 178);

an operating control section (see e.g. col. 6 lines 27-29 “A shutter release button (equivalent to a shooting start instructing member) ... for starting opening and shutting a shutter at the shooting on the top of the hybrid camera” ; and Fig. 3 No. 30);

a display screen (see e.g. col. 6 line 41-42 “a liquid crystal monitor ... that displays an image” and Fig. 2 No. 40); and

an animation display means capable of displaying an animation on the display screen displays upon operation of a control (See e.g. col. 10 lines 48-62 “...the mode switching dial ... is set at "SHOOTING 1". ... The APSCPU ... transmits date data and a DSC animation display command, for displaying images that are being imaged as an animation on the liquid crystal monitor 40, to the DSCCPU 184. Accordingly, the liquid crystal monitor 40 displays the images and data such as the date.”; and Figs. 2 and 9 No. 40) for indicating the specified motion of the device main body reflecting the retained setup information.

Saito et al. (US Pat. No. 6,421,504 B1) do not disclose indication of a specified motion of the device body reflecting retained setup information.

Ikeda (U.S. PGPUB No. 2002/0105582) discloses a means whereby information indicating a specified motion of the device body reflecting retained setup information is displayed (see e.g. page 5, paragraph [0068] “The contents of the operation instruction images

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are, for example, a visual image explanation of how to press the operation button and/or what kind of function will be carried out when the operation button is pressed.”).

Therefore, it would have been obvious to one skilled in the art at the time of invention to use animation to display information indicating a specified motion of the device body reflecting retained setup information.

It was known to those skilled in the art at the time of invention that animation can have the advantage of being more compact than video.

Regarding Claim 4:

Saito et al. (US Pat. No. 6,421,504 B1) also disclose a means for manipulating the information in an information retention section capable of retaining setup information that is to be reflected in a motion of the electronic device main body (see e.g. col. 8 lines 53-55 “...the upper right switch 54 and the lower right switch 56 are switches ... for zooming toward the telephoto side.”; col. 12 lines 26-28 “DSCAV indicates the aperture value of the CCD, and it is calculated from the CCD aperture ... and the zoom position.”; col 12 lines 30-35 “ $DSCAV = E_DSCAVw + E_DSCZV$... [or] ... $DSCAV = E_DSCAVt + E_DSCZV$ ”; col 12 lines 37-39 “... E_DSCAVw is a fixed number within the range between 18 and 30, and E_DSCAVt is a value that varies within the range between 0 and 15. The data of E_DSCAVw and E_DSCAVt is stored in the EEPROM ...”; Fig. 2 Nos. 54 and 56; and Fig. 9 Nos. 174 and 178).

Regarding Claim 5

The preamble of claim 5 merely recites the structural limitations of claim 1 followed by a 2 step method of creating an animation.

Saito et al. (US Pat. No. 6,421,504 B1) disclose a method whereby an animation is created and displayed (see e.g. Fig. 50).

Saito et al. (US Pat. No. 6,421,504 B1) do not disclose indication of a specified motion of the device body reflecting retained setup information.

Ikeda (U.S. PGPUB No. 2002/0105582) discloses a method whereby information indicating a specified motion of the device body reflecting retained setup information is displayed (see e.g. page 5, paragraph [0068] “The contents of the operation instruction images are, for example, a visual image explanation of how to press the operation button and/or what kind of function will be carried out when the operation button is pressed.”).

Therefore, it would have been obvious to one skilled in the art at the time of invention to use animation to display information indicating a specified motion of the device body reflecting retained setup information.

It was known to those skilled in the art at the time of invention that animation can have the advantage of being more compact than video.

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Claim 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PG PUB No. 2002/0105582) as applied to claims 1 and 5 above respectively, and further in view of Hunter et al. (US Pat. No. 6,486,881 B2).

Regarding Claim 2:

Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PG PUB No. 2002/0105582) do not disclose a means for storing and processing model data to create an animation.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to create animations by storing and processing model data.

It was known to those having ordinary skill in the art at the time of invention that processing model data has the advantage of reducing data requirements.

Regarding Claim 6:

Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PG PUB No. 2002/0105582) do not disclose a method for storing and processing model data to create an animation.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to create animations by storing and processing model data.

It was known to those having ordinary skill in the art at the time of invention that processing model data has the advantage of reducing data requirements.

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Claim 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PGPUB No. 2002/0105582) as applied to claim 2 and 6 above respectively, and further in view of Ogata et al. (U.S. Pat No. 6,409,601).

Regarding Claim 3:

Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PGPUB No. 2002/0105582) do not disclose a means for indicating an operating control capable of recalling an animation for indicating a motion of the electronic device main body.

Ogata et al. (U.S. Pat No. 6,409,601), does disclose a means for indicating an operating control that can recall an animation indicating a motion of the electronic device main body (see col. 11 lines 1-40 “The CPU 82 displays an image asking the game player to select ... an operating guide on the display monitor 6 in step S2 ... If operating guidance has been selected ... the CPU 82 displays an overall image (e.g., a plan view) of the manual control input device 2 on a display screen ... Then, ... controls the displayed control members ... to emit continuous or flickering light on the display screen ...” ; Fig. 11, esp No. S2; Fig 12 and 13).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to indicate an operating control capable of recalling an animation for indicating a motion of the electronic device main body.

Ogata et al. (U.S. Pat No. 6,409,601). recognizes the utility of “An entertainment system which is supplied with the operating guidance program and data allows the user to visually recognize the operating guide and to proceed...” (col. 2 lines 37-39).

Regarding Claim 7:

Saito et al. (US Pat. No. 6,421,504 B1) and Ikeda (U.S. PGPUB No. 2002/0105582) do not disclose a method for indicating an operating control capable of recalling an animation for indicating a motion of the electronic device main body.

Ogata et al. (U.S. Pat No. 6,409,601), does disclose a method for indicating an operating control that can recall an animation indicating a motion of the electronic device main body (see col. 11 lines 1-40 “The CPU 82 displays an image asking the game player to select ... an operating guide on the display monitor 6 in step S2 ... If operating guidance has been selected ... the CPU 82 displays an overall image (e.g., a plan view) of the manual control input device 2 on a display screen ... Then, ... controls the displayed control members ... to emit continuous or flickering light on the display screen ...” ; Fig. 11, esp No. S2; Fig 12 and 13).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to indicate an operating control capable of recalling an animation for indicating a motion of the electronic device main body.

Ogata et al. (U.S. Pat No. 6,409,601) recognizes the utility of “An entertainment system which is supplied with the operating guidance program and data allows the user to visually recognize the operating guide and to proceed...” (col. 2 lines 37-39).

Conclusion

The prior art made of record and not relied upon is considered relevant to applicant's disclosure. Hunter et al. (US Pat. No. 6,486,881 B2) discloses a device where model data is stored and processed to create an animation and teaches the technique of processing model data to reduce data requirements. Chen (US Pat. No. 6,081,278) teaches that animation can be more compact than video. Kitahara et al. (US Pat. No. 5,377,319) disclose a help guidance method utilizing an animated picture. Ponomarev et al. (US Pat. No. 5,781,194) and Sela (US Pat. No. 5,913,018) teach the memory advantage of rendering in real time. Eraslan (US Pat. No. 6,381,346) teaches the memory advantage of storing 3-D components rather than actual 2-D images.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward T. La Barr whose telephone number is (571) 270-3237. The examiner can normally be reached on Monday-Friday, 8:00 a.m - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marvin Lateef can be reached on (571) 272-5026. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ETL



MARVIN LATEEF
SUPERVISORY PATENT EXAMINER